



INTERIORS
by Decorating Den®

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The Honorable William Aman
Joint Committee on General Law
Legislative Office Building, Room 3500
Hartford, CT 06106

Re: HB 5138 – Amendment to Reinstate Interior Design Regulation

Dear Representative Aman:

I am writing to you to express our strong opposition to HB 5138, and to urge that this bill be defeated.

Founded in 1969, INTERIORS by Decorating Den is the largest interior decorating franchise business in North America with over 400 independent franchisees operating interior design businesses throughout the United States and in Canada. We currently have 5 interior designer franchisees operating in the State of Connecticut. This legislation, if enacted, holds the potential to adversely impact the interior decorating businesses of these Connecticut small business entrepreneurs. Our interior decorators operate successful businesses, serving thousands of clients by helping to make their homes more beautiful.

The purpose of licensure/registration is to protect the public. However, regulation by nature limits entry into a profession, makes it more difficult for those already working in the industry to compete, and should be reserved for professions and occupations that, if unregulated, pose a serious and demonstrated threat to public health, safety, and welfare. In other words, to take the serious step of abridging the constitutional right of a person to engage in a lawful profession, trade or occupation, the State must determine that such profession provides services that directly and significantly affect the public health, safety, and welfare and that the public is not adequately being protected otherwise. There is simply no evidence that such a threat exists here.

It is interesting to note that in U.S. District Judge Kravitz' decision last June in Roberts v. Farrell, striking down the law requiring registration in Connecticut to use the title "interior designer", the court stated:

"However, this case is unlike *Went for It* in its complete lack of any "evidence" (even construed most broadly) to support the Commissioner's asserted need to protect consumers from the use of the term "interior design" by individuals who lawfully perform those services in the State."

Study after study has found that additional regulation of the interior design and interior decorating community is unwarranted and would, in fact, increase the cost to the consumer. Recently, Colorado Governor Ritter and Indiana Governor Daniels vetoed similar bills in their states for the very same reasons. Those bills were just title

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acts...there was no restriction on the practice of interior design. As Governor Daniels stated in his veto message to the legislature, "the principal effect of [the bill] will be to restrain competition and limit new entrants into the occupation by requiring that they meet new educational and experience qualifications previously not necessary to practice their trade."

The only reason this bill is before the Committee is that a small clique of interior designers want the state to provide them with a perceived competitive advantage in being able to describe themselves as "registered" interior designers rather than "interior designers. This is not a valid or legitimate reason for the legislature to create a regulatory scheme.

Thank you for your consideration, and, again, we urge you to defeat HB 5138.

Sincerely,



Jim Bugg, Jr.
President and CEO